

1 FOLGER LEVIN & KAHN LLP
2 Douglas W. Sullivan (SB# 088136)
3 Andrew J. Davis (SB# 203345)
4 Embarcadero Center West
5 275 Battery Street, 23rd Floor
6 San Francisco, CA 94111
7 Telephone: (415) 986-2800
8 Facsimile: (415) 986-2827

9
10 Attorneys for Plaintiff Menlo Logistics, Inc.

11 VARNUM, RIDDERING, SCHMIDT & HOWLETT
12 LLP

13 Kevin Abraham Rynbrandt
14 Adam J. Brody
15 Bridgewater Place, PO Box 352,
16 Grand Rapids, MI, 49501-0352
17 Phone: (616) 336-6000
18 Fax: (616) 336-7000

19 OF COUNSEL FOR DEFENDANT,
20 GAINY TRANSPORTATION SERVICES, INC.

21
22
23
24
25
26
27
28

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

16
17 MENLO LOGISTICS, INC., a Delaware
18 corporation, ,

19 Plaintiff,

20 v.
21 GAINY TRANSPORTATION
22 SERVICES, INC., a Michigan corporation,
23 Defendant.

24 Case No. C 03-02560 JSW

25 **STIPULATION OF DISMISSAL AND
26 PROPOSED ORDER**

27 Place: Before the Honorable Jeffery S.
28 White, Courtroom 2, 17th Floor

1 The parties, through the signatures of their counsel on this Stipulation, stipulate to dismiss
2 this action with prejudice according to the terms of the settlement entered at the September 30,
3 2005 Settlement Conference before United States Magistrate Judge Elizabeth D. Laporte, as
4 reflected in the written Settlement Agreement between the parties entered on or about October 24,
5 2005.

6 Dated: November 8, 2005

FOLGER LEVIN & KAHN LLP

/s/
Andrew J. Davis
Attorneys for Plaintiff Menlo Logistics, Inc.

11 | Dated: November 8, 2005

VARNUM, RIDDERING, SCHMIDT & HOWLETT
LLP

/s/
Kevin Abraham Rynbrandt
Attorneys for Defendant Gainey Transportation
Services, Inc.

ORDER

On consideration of the foregoing,

IT IS HEREBY ORDERED that the action is dismissed with prejudice.

Dated: November 10 , 2005

Jeffrey S. White
Honorable Jeffrey S. White
United States District Court Judge

65021\2009\467056.1